

**In the United States Patent and Trademark Office**

In Re Application of: Steve Morsa

Ser. No: 09/832,440

Filed: 2001 April 11

For: Method and Apparatus for the Furnishing of a  
Variety of Benefits Information and Benefits**RECEIVED  
CENTRAL FAX CENTER**

JUL 26 2004

Examiner: Jonathan Ouellette

Group Art: 3629

**OFFICIAL**Mail Stop AF  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**Appeal Brief***62 pages in total; inclusive of Exhibit and Appendix***(1) Real Party in Interest:** Applicant/Appellant; Steve Morsa.**(2) Related Appeals and Interferences:** None.**(3) Status of Claims:** The application was originally filed with claims 1-180. Claims 2-15, 25, 28-29, 31-45, 53, 56-57, 63, 75-79, 88-100, 110, 113-114, 116-130, 137, 140-141, 147, 159-163, 165, 168, 170, and 172 have been cancelled.Claims **1, 16-24, 26-27, 30, 46-52, 54-55, 58-62, 64-74, 80, 81, 82, 83-86, 87, 101-109, 111-112, 115, 131-136, 138-139, 142-146, 148-158, 164, 166-167, 169, 171, 173-175, 176, 177-180** remain in the case and are the subject of this appeal (independent claims in bold). The claims on appeal are in the Appendix.07/29/2004 HTECKLU1 00000038 09832440  
01 FC:2251

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07/29/2004 HTECKLU1 00000038 09832440  
02 FC:2402  
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**(4) Status of Amendments:** A response was filed March 20<sup>th</sup>, 2004 (Amendment B) to the Final Rejection but it did not involve amendment to the specification or the claims. Amendment C was filed July 26<sup>th</sup>, 2004 in order to present claims 16, 69, 70, 153, 154, 168 only in better form for consideration (per Rule 116); which changes were of a non-substantive nature; specifically, consisting merely of the removal of parenthesis and quotation marks.

**(5) Summary of the Invention:**

The present invention is designed to provide an entity with real-time benefit information, from a variety of benefit providers, in a format that is understandable and informative. The system is unique in that never before has there been a network system that conducts a search of multiple sources of benefit information, in substantially real time; presenting these results to the user in one organized presentation.

The system is a sophisticated computerized system by which gathered benefit information from a plurality of benefit providers may be electronically connected to a computer network. Value-added software is provided at the network to assimilate the data collected from various and multiple benefit providers in substantially real time, to place the data in an understandable format for preferably a single presentation to the benefit-seeking entity. The entity receives the assimilated data from the various and multiple benefit providers through an electronic connection (via modems) between the entity's computer and the network. A program on the entity's computer can capture the formatted data supplied by the network and prepare it for display or analysis. In an alternate configuration the benefit providers are electronically connected to a regional host. The regional host is then electronically connected to the computer network.

The system has many advantages over known benefit acquisition methods.

First, the system offers a "real time" picture of available benefits from multiple and varied benefit providers. Second, it allows the display in "real time" of only those benefits for which an entity is (or appears to be) qualified to receive.

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Third, the system allows benefit providers to reduce or eliminate the often substantial costs of bringing their benefits to the attention of those entities qualified to receive them.

Fourth, the system provides the capability to an entity of acquiring various benefit providers' benefit information, the benefit-provider contact information, and the actual benefits themselves; all in one understandable and usable format that is currently not available via other methods.

A system and method are also disclosed for allowing an entity to discover what benefits said entity would be qualified to receive if entity data contained one or more inaccurate, "phantom" data factors, e.g., an incorrect current entity location; which could help entity to decide whether or not to relocate to a new city, state, area, country, etc.; entity's decision of whether or not to move then wisely based at least in part on the benefits available to entity at the contemplated new location.

## EXAMPLE

An example of the present invention (taken here from the invention's specification) in use for a given entity will help better explain the unique aspects of the invention. In this brief scenario, the entity is an individual named "Dawn," an Internet surfer who has recently signed on the service provided in accordance with the present invention and who now is seeking to find out what benefits she is entitled to receive. Dawn logs her computer onto the network host utilizing interface management software provided by the network host (or dials into system via her telephone). Dawn then completes a personal profile questionnaire asking her for demographic, psychographic, geographic, and preference data. These may include such questions as Dawn's city or zip code, her income, marital/familial status, education, housing (renter, owner); type of housing: apartment, single-family home, co-op, townhome; birth date, nationality, occupation, any medical conditions or health needs, etc.; as well as her personal hopes, dreams, and interests/preferences.

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Upon her submission of this profile (e.g., by "clicking" on the indicated "submit request" or similar icon; or via telephone by speaking with a live "operator," or via an interactive voice response unit [IVRU]), etc., the interface formats these parameters and transmits her request for benefits to the network host. The network host, through network software, accesses the network database(s); which is (are) updated in substantially real time with previously gathered benefit information concerning various benefits available from various benefit providers. The network host then processes the information into a usable protocol that enables the entity interface management software to provide the data to Dawn in an appropriate presentation. Dawn's computer (or telephone, FAX machine, etc.) then receives the processed information from the network host and displays the benefit information for her in real time.

For example, the benefits she qualifies for could include a zero-down payment, first-time home-buyer program offered by her city or state (helpful since she's tired of renting and is getting married soon), printing off the loan application and accompanying city certificate for her probable use; a possible job with the city fire department (could be an interesting career); an SBA micro-loan program for women entrepreneurs (maybe starting her own business is the way to go); an internship at the local college (in case she wants to further her education), the in-depth details of which she carefully reviews on her computer screen; a promising new treatment for Alzheimer's disease (good news for her elderly father), information about which she e-mail forwards to her dad; notice of an upcoming customs sale (Dawn's heard there's some real money to be made reselling that stuff); a great deal at the local music store on a new piano (she's always wanted to take lessons); a federally-sponsored program that buys up old "clunker" cars to reduce air pollution (her smog-belching car is on its last legs); a reduced-rate, new-car loan program available from the local car dealership for recent college grads (she'll have to replace her clunker somehow), details about which she stores to a floppy disk; federal prescription program for the infirm (something her aunt could really use); a local program to help working single moms afford quality daycare for their kids (the kind of program her sister really needs), the state voucher for which she prints off and gives to her sister; notice of next month's upcoming county tax-defaulted real estate sale (to go along with her zero

down home loan), which list of properties Dawn stores to her hard drive; and a "two-for-one" ticket sale at the local opera (could be just the incentive needed to get Dawn's fiancée to at least give opera a chance), the coupon for which she prints off to take with her to the opera house.

Optionally, Dawn may request real time updates of the benefit information via such means as e-mail, FAX, pager, hard-line or web-enabled phone, PDA (Personal Digital Assistants such as the Palm®), etc. Then, the benefit information applicable to her will be automatically updated as the information gathered from the benefit providers is updated. Such updates may also occur as, for example, due to the passage of time as when Dawn reaches various ages; since a number of benefits are generally known to be at least partially age-based. In addition, Dawn's profile may be adjusted and updated from time to time by Dawn and/or the system operator. The result is that Dawn has real time or near real time access in a readily understandable format, on a single display screen (or other single "benefit touch point") of all the benefits for which she is qualified to receive. Regardless of the source(s) of those benefit(s).

Given the numerous wide and varied arguments in support of the system; along with the desire to avoid needless repetition and for ease of review and consideration of the issues at hand, a concise and detailed explanation and treatment of the subject invention follows in "(8) Argument."

**(6) Issues:**

A) Are Claims 1, 16-24, 26-27, 30, 46-52, 54-55, 58-62, 64-74, 80-87, 101-109, 111-112, 115, 131-136, 138-139, 142-146, 148-158, 164, 166-167, 169, 171, and 173-180 patentable under 35 U.S.C.103 (a) over College Board ([www.collegeboard.com](http://www.collegeboard.com), screen print, 1/25/1999) in view of Baker, III (US 6,266,648).

**(7) Grouping of Claims:**

For purposes of this appeal, the claims should be grouped as follows:

- A) 1, 16-24, 26-27, 30, 46-52, 54-55, 58-62, 64-74, 83-87, 101-109, 111-112, 115, 131-136, 138-139, 142-146, 148-158, 177-180. These claims do not stand or fall together.
- B) 80, 81, 82. These claims stand or fall together.
- C) 164-168. These claims do not stand or fall together.
- D) 169-175. These claims do not stand or fall together.
- E) 176. This claim stands or falls on its own.

**(8) Argument:****The References and Differences of the Present Invention Thereover**

Prior to discussing the claims, applicant will first discuss the invention, the references, and the general novelty of the present invention and its unobviousness over the references.

Applicant's ground-breaking invention teaches how to *anonymously* match an up-to unlimited number of (including little-known and hard-to-find) government and non-government benefits and benefit information within and throughout all benefit classes/categories *directly* to entities of all types—individuals as well as companies/businesses, educational institutions, governments, etc; doing so with *no required advance knowledge or understanding* of these benefits by the benefit-seeking entity. The system does this using *only* the demographic, geographic, psychographic, and preference information of the entity itself to identify and locate the benefits (being offered by the now *far more efficient and effective* benefit providers themselves). Which makes the present system a novel and unobvious method and system the likes of which has never been known before.

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**College Board** ([www.collegeboard.com](http://www.collegeboard.com), Screen Print, 1/25/1999) is a system/method for the express and limited single purpose of matching individuals only with “... *scholarships, loans, internships, and other financial aid programs from non-college sources...*” (from page 2 of the 1/25/1999 screen print reference). Note also the even further negatively recited limitation of the College Board’s educational class/category of benefits as being required to be only from “... *non-college sources...*” (screen print, p.2). In fact, the next sentence goes on to clarify what their system/method *really is* and what individuals *actually* received when they used their system/method, namely (and only) “... *potential scholarship opportunities...*” Note also in the following paragraph that College Board’s system/method is called (appropriate given its stated purpose) “*Scholarship Search;*” and that Scholarship Search’s information is derived from “*The Scholarship Handbook.*” Demonstrating that College Board/Scholarship Search is a *limited* benefit-matching system.

Applicant’s method/system (as is clear from its specification), on the other hand, is novel and different from College Board by having no such limits in either the classes/categories or the types of benefits which may optionally be made available; and does so not just for individuals, but *entities of all types*—including businesses, non-profits, educational institutions, and cities & states. One has only to visit the infringing GovBenefits.com and BenefitsCheckUp.org (BCU) sites to fully appreciate the functional differences between them/the present system and the College Board/Scholarship Search system.

As would be clear given both its stated purpose and actual operation; College Board does not teach any more than how to match *educational* class/category *non-college* aid with *individuals* seeking such *educational* class/category aid. Neither College Board nor any other company, individual, or organization had the foresight to provide such a scholarship-matching business method; limited in its use and value relative to the present system though it would be. Even such a system would not anticipate nor make obvious the present invention.

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**Baker, III (US 6,266,648)** is—by its own description/specification—a method/system of aggregating “third-party enabling organizations” (credit card companies, professional associations, etc) in order to simplify the identification of (primarily) travel/vacation related benefits offered only by/through these enabling organizations; such benefits being available only to people having affiliations/memberships with these enabling organizations.

There are three critically important differences of the present system over Baker:

First, because this information is neither gathered nor correlated directly to the benefits themselves, Baker is unable to identify any benefits which the system user would qualify for based on user’s demographic, geographic, or psychographic information. Baker requires only that the user input user identification information to verify enabling organization association plus user’s purchase plan/interest(s)/preference data (abstract; Column 3 Line 2-3, L23-24, L29, L33-35; C4 L16-19; C5 L10-13; C7 L36-45, L50-55).

Yet, this is one of the prime purposes (and huge advantages) of the present system —that is, to enable people/entities to—*quickly, easily, and automatically*—discover the up to 100s to 1,000s of *often unknown* benefits they (may) already qualify for without having to know what they’re looking for. [See also # 99, page 20 of first OA, examiner’s admittance that “*Baker discloses a computer system that can correlate benefits between consumers and one or more enabling organizations . . .*” (and therefore not directly between consumers/entities and the benefit providers and benefits themselves)].

With Baker, one has to know what one wants in order to get it. With the present system, one never does. This is a valuable and important difference.

Second, Baker requires an association with one or more benefit “providing” enabling organizations in order to receive any benefits; therefore receiving only those benefits available from such enabling organizations (abstract, C1 L16-19; C3 L17-19, L25-27, L44-45 and elsewhere). *Not so with the present invention.*

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With Baker, one must be a "member" to get—*only*— "member" benefits. With the present system, one doesn't have to be a "member" of anything to get one's benefits . . . and one doesn't have to settle for just those benefits offered by enabling organizations, either.

Third, because it's understandably needed to verify "affiliation" with the enabling organization(s), Baker requires some type of user identification in order to use the system (abstract, C2 L51-53; C3 L22-23, C6 L4-8, and elsewhere). The problem is that the user's anonymity is then sacrificed; every time they attempt to see if the benefits they want are available to them—whether or not they even exercise their right to use them. Such loss of privacy is a major, growing problem in today's society. With Baker, they know who one is (one's name), what one wants, when one wants it, and how much one is willing to pay for it. With the present system (optimally/optionally), because one gets the benefit information/benefits confidentially—they know nothing.

Thus the present system has great and substantial differences over Baker. The clearly novel and unobvious present system is of far greater use, utility, and value (certainly by at least a factor of 5-10) than Baker. Applicant's system is a benefit-matching method and system clearly unlike any that came before.

### **College Board and Baker Do Not Contain Any Justification to Support Their Combination, Much Less in the Manner Proposed**

The prior-art references do not contain any suggestion--express or implied—that they be combined, nor that they be combined in the manner suggested; nor that there would be a reasonable expectation of success. With regard to the proposed combination of College Board and Baker, it is well known that in order for any prior-art references themselves to be validly combined for use in a prior-art 103 rejection, *the references themselves* (or some other prior art) must suggest that they be combined, e.g., as was stated In re Sernaker, 217 U.S.P.Q. 1, 6 (C.A.F.C. 1983):

"[P]rior art references in combination do not make an invention obvious unless something in the prior art references would suggest the advantage to be derived from combining their teachings."

That the suggestion to combine the references should not come from applicant was forcefully stated in Orthopedic Equipment Co. v. United States, 217 U.S.P.Q. 193, 199 (CAFC 1983):

"It is wrong to use the patent in suit [here the patent application] as a guide through the maze of prior art references, combining the right references in the right way to achieve the result of the claims in suit [here the claims pending]. Monday morning quarterbacking is quite improper when resolving the question of nonobviousness in a court of law [here the PTO]."

As was further stated in Uniroyal, Inc. v. Rudkin-Wiley Corp., 5 U.S.P.Q. 2d 1434 (C.A.F.C. 1988):

"[w]here prior-art references require selective combination by the court to render obvious a subsequent invention, there must be some reason for the combination other than hindsight gleaned from the invention itself . . . *Something in the prior art must suggest the desirability and thus the obviousness of making the combination.*" [Emphasis supplied.]

In line with these decisions, the Board stated in Ex parte Levengood, 28 U.S.P.Q. 2d 1300 (P.T.O.B.A. & I. 1993):

"In order to establish a *prima facie* case of obviousness, it is necessary for the examiner to present *evidence*, preferably in the form of some teaching, suggestion, incentive or inference in the applied prior art, or in the form of generally available knowledge, that one having ordinary skill in the art *would have been led* to combine the relevant teachings of the applied references in the proposed manner to arrive at the claimed invention. . . . That which is within the capabilities of one skilled in the art is not synonymous with obviousness. . . . That one can *reconstruct* and/or explain the theoretical mechanism of an invention by means of logic and sound scientific reasoning does not afford the basis for an obviousness conclusion unless that logic and reasoning also supplies sufficient impetus to have led one of ordinary skill in the art to combine the teachings of the references to make the claimed invention. . . . Our reviewing courts have often advised the Patent and Trademark Office that it can satisfy the burden of establishing a *prima facie* case of obviousness only by showing some objective teaching in either the prior art, or knowledge generally available to one of ordinary skill in the art, that 'would lead' that individual 'to combine the relevant teachings of the references.' . . . Accordingly, an examiner cannot establish obviousness by locating references which describe various aspects of a patent applicant's invention without also providing evidence of the motivating force which would impel one skilled in the art to do what the patent applicant has done." [Emphasis supplied.]

In the present case, there is no reason given by the Examiner to support the proposed combination, other than the nearly identical statements, "Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included . . . *means for inputting into said system benefit information from two or more distinctly different benefit classes/categories*" (Page 4, # 10 of OA/Final); ". . . wherein the benefits are from at least two distinctly different benefit classes/categories . . ." (Page 12, # 58; Page 13, # 62; Page 16, # 79 ); ". . . wherein the benefits contain at least two distinctly different benefit classes/categories . . ." (Page 15, # 70).

However, the fact that both references teach some aspects of "benefit matching" is not sufficient to gratuitously and selectively substitute one or more parts of one reference (Baker's multiple benefit classes/categories) for one or more parts of another reference in an attempt to meet applicant's novel claimed system. It is well known that a basic mandate inherent in 35 U.S.C. 103 is that piecemeal reconstruction of prior art patents in light of the appellant's disclosure shall not be the basis for a conclusion of obviousness.

The Examiner's perceived motivation to combine the references—" . . . to increase system effectiveness/customer service . . ." (p. 4, #10, etc of OA)—is no more than mere unsupported statement and speculation; and therefore clearly not evidence; as is legally and properly required. It is well established that broad conclusory statements such as these regarding the obviousness of modifying or combining references are not evidence. There must be a reasoned basis to support such a conclusion of obviousness. Indeed, since a large percentage of all the millions of patents—and especially so those within the 705 classification—involve increasing some system's (or product, process, etc. where applicable) effectiveness and/or customer service; were such statements/reasoning to be treated as evidence, precious few would survive. In fact, don't most (all?) Class 705 patents increase some already-existing method/system's effectiveness/customer service? Isn't that why these inventions even exist?

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Are not the largest share of patents improvement patents; where *effectiveness* or (especially in the case of systems/methods) *customer service* is increased?

The fact is, there is neither an express nor an implied teaching or suggestion in College Board or Baker (or any other prior art); whether considered individually or collectively, which would have motivated the artisan to combine the applied references in the manner urged by the examiner so as to result in the method/system defined by the claims at bar. Absent any such suggestion, one can only conclude that the Examiner's proposed combination of College Board's benefit matching system with Baker's multiple benefit classes/categories was based upon a hindsight reconstruction of the appellant's invention from the elements of the prior art.

As stated in Levengood,

"That one can *reconstruct* and/or explain the theoretical mechanism of an invention by means of logic and sound scientific reasoning does not afford the basis for an obviousness conclusion unless that logic and reasoning also supplies sufficient impetus to have led one of ordinary skill in the art to combine the teachings of the references to make the claimed invention."

As is well known, the Federal Circuit has produced a number of other decisions overturning obviousness rejections due to a lack of suggestion in the prior art of the desirability of combining references.

### **Individually-Complete References Proves that the Combination of the References is Not Justified**

Each reference is complete and functional in itself, so there would be no reason to use parts from or add or substitute parts to either reference. College Board has been a complete, functioning/operating service for some years now; and while there appears to be no known "real world" application of/utilizing Baker; as its detailed specification including its drawings demonstrate; it, like College Board, is also complete and functional in and by itself.

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There are, therefore, no reasons to use parts from, or add or substitute parts to, either reference. That they are each individually complete demonstrates and proves that the combination of the references is not justified.

### **Different-Field References Proves that the Combination of the References is Not Justified**

The references are from very different technical fields from each other. Despite the widespread use of the term "benefit(s)" during the prosecution of this application, a close inspection reveals that the two references themselves are in fact from very different and unrelated technical fields. Specifically, College Board is—by its own description and actual operation—a limited-purpose method/system for the identification only of non-college scholarships/educational financial aid. Baker, on the other hand, is—by its own description/specification—a method/system of aggregating enabling organizations in order to simplify the identification of primarily travel/vacation related benefits offered only by/through these enabling organizations; and only to people having affiliations with these enabling organizations. Therefore, because locating non-college educational financial aid for consumers (College Board) and aggregating enabling "membership" organizations (Baker) are most certainly unrelated to each other—and therefore nonanalogous art—there is no justification for the combination of these references.

### **The Proposed Modification Cannot Render the Prior Art Unsatisfactory for Its Intended Purpose—MPEP 2143.01**

*If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.* In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Specifically, as stated, College Board is negatively and self-limited (negatively recited) only to the identification of and locating of *non-college* educational financial aid (for individuals) (p.2 of screen reference). Combining then Baker's *variety* of benefits (if it were legal and proper to do so) with College Board would, because up to all benefits (in up to all classes/categories for individuals) would now be available (for individuals),

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actually *cripple the purpose for which the College Board service exists*. That is, such a combination system would no longer be able to match individuals exclusively and solely with non-college educational financial aid; as College Board says it must. Thus, while the benefits identified and matched could certainly still be included in a total "benefits found disclosure/display," because the proposed modification would render the prior art (College Board) unsatisfactory for its intended purpose, under MPEP 2143.01, the combination of College Board with Baker is neither legal nor proper.

### **The Proposed Modification Cannot Change the Principle of Operation of a Reference –MPEP 2143.01**

*If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious.* In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

Specifically, as stated, College Board is negatively and self-limited (negatively recited) only to the identification of and locating of *non-college* educational financial aid (for individuals) (p.2 of screen reference). Combining then Baker's *variety* of benefits (if it were legal and proper to do so) with College Board would, because up to all benefits (in up to all classes/categories for individuals) would now be available (for individuals), actually *change the manner in which the College Board service operates*. That is, College Board's constricted and limited system could no longer operate by simply drawing its non-college educational aid information from its *The Scholarship Handbook* book database; but would instead now have to, as stated, develop, create, and implement an entirely new *unlimited* methodology and system capable of delivering an up to virtually unlimited number and benefit class/category variety of benefits. Thus, because its single-benefit-class system is clearly inadequate for such an endeavor; such a logically challenging modification must by obvious inherent necessity *change the principle of operation of the prior art* (College Board) in order to work. Therefore, under MPEP 2143.01, the combination of College Board with Baker is neither legal nor proper.

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Clearly then, there is no *prima facie* justification for combining the references as suggested; as required by MPEP 2142 and 2143.

Applicant therefore submits that combining College Board and Baker is not legally justified and is therefore improper. Thus, applicant submits that the rejection on these references is also improper and should be withdrawn.

Applicant respectfully requests, if the claims are again rejected upon any combination of references, that the Examiner include an explanation, in accordance with M.P.E.P. 706.02, Ex parte Clapp, 27 U.S.P.Q. 972 (P.O.B.A. 1985), and Ex parte Levengood, *supra*, a “factual basis (or *prima facie* case) to support examiner’s conclusion that it would have been obvious” to make such a combination.

**Misunderstood References.** The Baker and College Board references do not disclose what the examiner relies upon them as supposedly teaching:

Baker: The last OA states (page 4, # 9; p.12 # 57; p.13 # 61; p.15 # 69; p.16 # 78) that, “Baker discloses a method/system for permitting a consumer to more effectively make use of a variety of available benefits from a plurality of goods and service providers (abstract, C3 L5-51).” However, Baker’s abstract states “ . . . wherein the benefits are offered specifically to those consumers having an association with one or more enabling organizations.” and, “ . . . enabling organization information . . . “ etc.; plus C1 L16-19 (note “ . . . only to those having . . . “ ); and in C3 L5-51 (in particular L17-19, “ . . . offered specifically to those consumers having an association with one or more enabling organizations.” , L25-26, “ . . . enabling organization information . . . “ , L27, “ . . . enabling organization . . . “ L44-45, “ . . . consumer’s membership in [the] one or more enabling organizations.” ) [see # 99, page 20 of the first OA].

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As is stated and made clear throughout Baker—in its title, its abstract, background, summary; throughout its specification, claims, and even in its drawings—these enabling organizations are not merely of a subsidiary nature but are in fact an integral part and critical, foundational element of the Baker invention.

Accordingly, what Baker more accurately discloses is this: A method/system for permitting a *verified identified consumer who is affiliated with one or more third-party enabling organizations* to more effectively make use of a variety of *consumer identified and selected, enabling organization sourced* benefits from a plurality of goods and service providers. [Emphasis supplied.]

Paper Patent: Note here also that because the Baker reference appears to be a “paper patent;” that is, it was never implemented or commercialized, it should by necessity therefore be construed narrowly.

College Board: The last OA states that applicant’s independent claims # 1 and 87 are what College Board discloses (p.3, # 7 of OA). However, (as seen above) this reference makes clear that its system/method is for the express and limited single purpose of matching *individuals only* with “ . . . scholarships, loans, internships, and other financial aid programs from non-college sources . . . ” (from page 2 of the 1/25/1999 screen print reference). Note also the even further negatively recited limitation of the College Board’s educational class/category of benefits as being required to be only from “ . . . non-college sources . . . ” (screen print, p.2). In fact, the next sentence of reference goes on to clarify what their system/method *really is* and what individuals *actually* received when they used their system/method, namely (and only) “ . . . potential scholarship opportunities . . . ” Note also in the following paragraph that College Board’s system/method is called—appropriate given its stated purpose—“*Scholarship Search;*” and that *Scholarship Search*’s information is derived only from “*The Scholarship Handbook.*” Demonstrating that College Board/*Scholarship Search* is a *limited* benefit-matching system.

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As would be clear given both its stated purpose and actual operation; were the College Board system/method to have been backed by a patent; such a patent would have taught no better than how to match *educational* class/category *non-college* financial aid with *individuals* seeking such educational class/category aid.

Therefore, what College Board more accurately discloses (addressing p.3 # 7 of last OA) is: A system/method for permitting an *individual* to more effectively make use of *non-college educational financial aid* (hereinafter "*financial aid*") from a plurality of *financial aid* providers, wherein said *financial aid* is offered specifically to those *individuals* qualified/eligible to receive said *financial aid*, said system comprising: means for storing in a memory in the system *an individual's* information, *financial aid* provider information, and *financial aid* correlation information; means for inputting into said system a set of *an individual's* demographic, geographic, psychographic, and preference data for said *individual*; means for comparing said *individual's* data set to determine those *financial aid* providers, if any, which have *financial aid* said *individual* is qualified to utilize; means for analyzing said *financial aid* provider information and said *financial aid* correlation information to determine whether any *financial aid* providers are offering potentially applicable *financial aid* for said data and whether said data satisfies requirements for obtaining said potentially applicable *financial aid*; means for displaying a message to inform a system user of any available *financial aid* applicable to said data; wherein said *financial aid* is available to the *individual* as a result of *individual's* qualifying or being eligible for at least one *source of financial aid* available from at least one *financial aid* provider. [Emphasis supplied.]

Accordingly then, what College Board also discloses (addressing p.12, # 55 of last OA) is: A system comprising a memory device having embodied therein information relating to *non-college educational financial aid* (hereinafter "*financial aid*"); a processor in communication with said memory device, said processor configured to: create a *financial aid* listing for a specified *individual* with a specified set of demographic, geographic, psychographic, and preference data; make available said *financial aid* listing.